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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,995	12/12/2003	Nishant Sinha	MI22-2464	2050
21567	7590	12/30/2005	EXAMINER	
WELLS ST. JOHN P.S. 601 W. FIRST AVENUE, SUITE 1300 SPOKANE, WA 99201				KENNEDY, JENNIFER M
			ART UNIT	PAPER NUMBER
			2812	

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

20051222

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Commissioner for Patents

The reply filed on October 14, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has identified multiple claims that do not read on the elected species. Applicant has elected from the species A-4 (tantalum) and B-1 (a single CMP removal step). Applicant then points to claims 54-59, 61, 63-65 and 74-86 to read upon the elected species. The examiner first notes that Applicant's election of claim 86 is in direct contradiction to their non-election of claim 62. Further, the Applicant has elected tantalum, not tantalum nitride and therefore neither claim 62 nor 86 should be elected. Further, since Applicants have elected tantalum, then claims 61 and 85 do not read on the species elected, since tantalum is a conductive layer that is never taught in Applicant's specification to be a barrier layer. Finally and most notably, the examiner notes that all claims 74-86 are directed to the process of more than one CMP removal step (see Figure 9B and accompanying specification), and are certainly not generic. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Jennifer M. Kennedy
Primary Examiner
Art Unit: 2812